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CONCORD, N.H.

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Mar. 4

Mr. W. S. Middaugh, Head  
Tobacco and Sugar Section  
Grocery Products Branch  
Food and Restaurant Division  
Office of Price Stabilization  
Washington 25, D. C.

Re. Your No. 2125

Dear Mr. Middaugh:

The Unfair Sales Act of this State is Revised Laws, Chapter 204, and the pertinent provision concerning minimum prices is contained in section 2 of that chapter which prohibits any retailer with the intent or effect of injuring or destroying competition or from selling at retail at less than cost to the retailer. The statute does not specify what is done with fractional parts of a cent.

It is my opinion that the sale of a single unit must be a price not less than its cost, which would mean that a fractional part of a cent would result in a price fixed at the next higher cent.

Very truly yours,

Maurice M. Blodgett  
Deputy Attorney General

MMB:RM